

FREMONT PLANNING BOARD

June 14, 2006

Meeting Minutes

Approved June 21, 2006

Present: Chairman Larry Stilwell, Member Leon Holmes, Jr., Alternates Roger Barham, Scott Boisvert, RPC Rep. David West, Building Official Thom Roy and Land Use AA Meredith Bolduc.
Member Mark Pitkin joined the meeting at 8 pm and Mbr. & Conservation Commission rep. Jack Karcz joined the meeting at 9:40 pm.

Mr. Stilwell called the meeting to order at 7:30 p.m.

Mr. Stilwell appointed Alternates Barham and Boisvert as voting members of the Board for tonight's meeting.

JANICE O'BRIEN, FREMONT CONSERVATION COMMISSION

At 7:30 pm Conservation Commission Member Janice O'Brien met with the Board to request their support of the New Hampshire Estuaries Project Technical Assistance Program 50/50 Grant for which she is applying as a member of the Conservation Commission. She stated that the Commission is in the process of contracting with West Environmental for a town wide Prime Wetland Study. Mrs. O'Brien explained that the study would involve providing for town wide inventory mapping, wetland evaluation of inventoried wetlands and Prime Wetland designation as well as defining and evaluating all previous development data and research existing natural resource studies in Fremont. It would also include the preparation of a formal wetland evaluation report describing the results of the study. She added that the grant, if awarded, will fund up to \$8,000.00 of the approximately \$20,000.00 cost of the project.

It was the consensus of the Board to offer written support of the grant application.

VISION CHAPTER OF THE MASTER PLAN

The Board discussed the draft of the Vision Chapter of the Master Plan. Mr. Stilwell asked if everyone has had a chance to review the draft. Some had not. This will be discussed at the next meeting. Mr. West stated that this chapter revision is from 2005 and needs to be approved and adopted by the Planning Board at a Public Hearing. He noted that the 2006 update to the Master Plan will be the Future Land Use.

GRISTMILL, LLC
Map 2 Lot 173.12

Present: Owner Wayne Kinney

At 8 pm Mr. Kinney met with the Board to update them relative to the progress of Gristmill LLC Phase II. He reported that there is a subgrade on the through connection from Copp Drive to Gristmill Road and the slopes are to grade, but due mostly to the extremely wet spring, they have not been able to do more. He added that he is hoping to work on the road this week and the base coat from Copp Drive to Gristmill Road, as well as the other 2 cul-de-sacs, should be done by fall.

Mr. Stilwell noted that there is an extension to November 1, 2006 for Gristmill Road Phase II, and that Phase I was accepted by the Town in March of this year. Mr. Stilwell stated that Vollmer Engineering should be contacted for road bond calculation for phase II. Mr. Kinney agreed. He stated that the plans are to continue to work on the road and get a bond estimate and post the bond for the last portion of it.

It was agreed that the project is on schedule. Mr. Kinney agreed to meet with the Board again on October 11, 2006 at 8 pm to further report on the progress of the project.

CAPITAL IMPROVEMENTS PROGRAM (CIP) AND IMPACT FEE INFORMATION “Capital Project Worksheet and Submission Form”

Mr. Stilwell reported that the only thing the Planning Board can come up with for expenditures is office equipment and that would not come up to the \$5,000.00 figure that is triggered for the CIP. There was a general conversation relative to the CIP and the required annual revisions. Mrs. Bolduc stated that a reminder of the June 21st roundtable worksession will be sent to each Board or Commission that was previously noticed.

MILL PINE VILLAGE/DAKOTA DRIVE
Map 1 Lots 035 & 16

PUBLIC HEARING

Present: Todd Connors of Sublime representing Mill Pine Village, Kevin Hatch of Cornerstone Survey

At 8:30 pm Mr. Stilwell opened this Public Hearing for Mill Pine Village and stated that his is a continuation of the May 17, 2006 portion of this Public Hearing which was continued to allow time to receive the Engineers report.

Mr. Stilwell stated that the Board received a June 13, 2006 report from Town Engineer Rob Prud'homme, PE with Sea Engineering. In his report Mr. Prud'homme stated that he had received and reviewed the Mill Pine Village plan set dated November 1, 2004, revised on March 24, 2006, and the drainage report dated November 1, 2004. Mr. Connors submitted a June 14, 2006 response to the Engineers issues. The following is the list of Mr. Prud'homme's comments with Mr. Connors' answers in italics:

1. The proposed pavement section is acceptable, however, the applicant should provide a detail for the transition section between the two pavement structures.
The plans have been modified to indicate the limits of the two pavement structures with sawcut lines across the existing pavement, the limits of pavement overlay, and a detail for the cold plane/pavement patch.
2. The Applicant should provide a pavement sawcut detail for the property hot bituminous pavement match to Dakota Drive.

The plans have been revised as indicated above to include a detail for the sawcut and pavement patch.

3. Recommend a 4 foot section of Dakota Drive be removed to provide an appropriate pavement match.
The limits of pavement trench for the proposed drainage connection were factored into the revision for sawcut limits and pavement patch discussed in the previous comments. As an alternative to the recommended four foot section, a full width section of pavement will be removed between the fillets.
4. SEA Consultants did not receive the plan sheet that provides information on the new catch basin and pipe to be installed across Dakota Drive. The applicant should ensure that the proposed pipe have a minimum of four feet of cover across the pavement. If less cover is necessary due to grades, the pipe strength should be increased as appropriate.
The drainage information has been added to Sheet P4 so that the design intent is clear in documents on file with the Town of Fremont. The design indicates in excess of the required four foot cover under paved sections.
5. The applicant should verify that the capacity of the existing pipe and outlet protection at the existing Dakota Drive cul-de-sac is sufficient to accept the additional flow from the proposed catch basin.
Addendum #1 to the Drainage Report has been attached to summarize calculations and analysis specific to the drainage improvements in this location. The addendum confirms that the existing culvert and outlet protection are sufficient for the proposed development.
6. The "DRAINAGE TRENCH" detail sheet D-2 should note a pavement sawcut at the edge of the trench in pavement areas.
A note has been added to the detail as recommended.
7. Recommend yield signs rather than stop signs on Dakota Drive and Woodbury lane and that the applicant reference the latest Manual on Uniform Traffic Control Devices (MUTCD).
This issue has been discussed with the Fremont Planning Board and the decision was made to install STOP signs at the May meeting. In light of the fact that your report was not available for last month's Public Hearing, we will ask if they have reconsidered the earlier decision.

The yield vs stop sign issue was discussed and it was generally agreed by the Planning Board Members that STOP signs are preferable.

Mr. Connors submitted the revised Plan Sheets P4 and D2 as well as a full copy of the plan and a Drainage Report dated June 14, 2006.

There was some discussion relative to the stone in place and Mr. Connors recommended that the existing ten feet (10') of four (4") inch stone remains.

In answers to questions by Mrs. Bolduc, Mr. Connors stated that there is conditional approval with the Town of Chester and there is a compliance hearing scheduled for the beginning of July. The Town of Chester will be recording this plan. The Town of Sandown has issued final approval. There was a general conversation relative to whether Fremont needs to sign the plan. Mr. Connors stated that legally the Chester Planning Board is the only one who must sign the plan and the Sandown Planning Board opted not to sign. He added that, if this Board feels they should also sign the plan, they could. It was the general consensus of the Board that their signature is not necessary on the plan, since this is not a subdivision or site plan review and it is not required by the applicant.

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There was also a conversation relative to the revised plan of record referencing the road connection to the existing plan and it was agreed that the connection would also reference the original recorded subdivision plan, as will the Fremont Planning Board's Notice of Decision.

After careful review and consideration by the Board, Mr. Pitkin made the motion that, based on the plan and information presented, the Board approve the request of Mill Pine Village, LLC, Chester, New Hampshire, for a roadway connection of Woodbury Lane from the Town of Sandown through the Town of Chester to Dakota Drive in the Town of Fremont with the following conditions:

1. The receipt of final approval report from the Town Engineer
2. The receipt of the final recorded Town of Chester plan sheets received for reference
3. All conditions met within sixty (60) days of this date.

Motion seconded by Mr. Holmes with unanimous favorable vote.

At 9:15 pm Mr. Pitkin made the motion to close this Public Hearing.

Motion seconded by Mr. Holmes with unanimous favorable vote.

FREMONT STORAGE, LLC

Map 3 Lot 166

Mr. Stilwell stated that the Board has received a June 13, 2006 correspondence from Jamie Breen, owner of Fremont Storage, LLC, Map 3 Lot 166, 25 Main Street, relating that the upholstery business that has occupied a portion of his front building for many years is no longer there and there is someone who is interested in leasing the space for a dog/pet grooming business.

It was noted that on file is a July 15, 1998 Site Plan Review approval for the expansion of the storage facility operation to include the construction of a thirty foot by three hundred foot (30'x 300') building and the conversion of the former Laundromat portion of the existing building. Also on file is an August 8, 2004 amended Site Plan Review approval for the additional storage buildings, but there is no record of Site Plan Review relative to businesses in the front building other than storage. It was noted that the upholstery and hair stylist businesses were there before the 1987 adoption of Site Plan Review. It was agreed that Site Plan Review would be in order for the change in use.

Mr. Breen also verbally related to Mrs. Bolduc, during a visit to the Land Use Office, that he wants to replace the existing fence gate with one that has a digital lockbox and asked if there was any special permit he would need as far as the Town is concerned. Mr. Roy noted that there is no permit required, but he suggested the installation of a Knox box, padlock or another kind of lock that the Fire Department would have a key to for access. The Board agreed that the Fire Department should have access to the premise and Mr. Breen will be so notified.

Present: Owner Fred LeClair, representing surveyor Kevin Hatch.

Mr. Stilwell opened this Public Hearing at 9:15 p.m. and stated that this is a continuation of the May 17, 2006 portion of this Public Hearing which was continued to allow time for the applicant to address all outstanding issues. He reiterated that jurisdiction over the application was taken by the Board on May 17, 2006 and the 65 day clock ends on July 21, 2006.

The State Subdivision Approval was received. Also received was a May 17, 2006 correspondence from Town Engineer Bill Rollins stating that he has briefly reviewed the LeClair subdivision plan and there are no engineering issues associated with the subdivision, therefore there is no reason for him to review the plan on behalf of the Planning Board. It was noted that the certified notice reply from Cornerstone Survey is still outstanding and Mr. Hatch stated that it could be in his office.

A comment sheet was received from the Conservation Commission: *"No comment on this the 3rd lot to be subdivided off of the main piece within a short period of time, but we have concerns regarding the future plans for subdivision of the 49.89 acre parcel. Since the 49.89 acre parcel remaining is a former excavation pit that borders the Exeter River, we believe the future plans for the property should be defined."*

Mr. Stilwell noted that the issues from the last meeting were:

1. Waiver requests
2. State SD approval
3. Town Engineer report
4. Recorded reference plans
5. Second test pit per lot

Mr. Hatch submitted copies of the reference plans, test pit information (2 for each lot), State Subdivision Approval, and the waiver request list. These items along with the Engineers report addressed all outstanding issues. Mr. Hatch noted that, in answer to Mr. West's questions on his report, all structures, wells and septic systems within 200' are shown on the plan, note #14 on the plan addresses overhead utilities, note #15 denotes that there is a site distance of 250', and the data for the two test pits per lot has been submitted. Mr. West agreed that all of his issues have now been addressed.

Mr. Hatch agreed to change note #5 to delete "zoned residential". He also agreed to number the notes so that they are the same on all sheets.

The Board reviewed the following list of requested waivers as submitted by Mr. Hatch, with his rational in italics:

1. Article III Section 3C = requiring a boundary survey of the entire parcel. *The entire parcel has been shown graphically on sheet 1 and a copy of the prior survey has been submitted with the reference plans.*
2. Article III Section 3D and 4C = requiring area and percentage of wetland, etc. *This has been provided for the 3 acre lot, but would serve no useful purpose on the 50 acre parcel.*
3. Article III Section 3E = requiring topography. *This has been provided for the 3 acre lot, but would serve no useful purpose on the 50 acre parcel.*

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4. Article III Section 3H and Section 4D = requiring wetland mapping. *This has been provided for the 3 acre lot, but would serve no useful purpose on the 50 acre parcel.*
5. Article III Section 3L = requiring HISS mapping. *This type of soil mapping is used for minimum lot sizing and would be of no value on a 3 acre or a 50 acre parcel.*
6. Article III Section 4E = requiring proposed grading. *These large single family lots could both support a new home without significant grading. All new homes will be required to provide a septic design with grading prior to obtaining a building permit.*

After some discussion by the Board, Mr. Holmes made the motion to grant all requested waivers as written. Motion seconded by Mr. Pitkin with unanimous favorable vote.

After careful review and consideration by the Board, Mr. Holmes made the motion that, based on the information presented and pursuant to plan # 06-894 drawn by Cornerstone Survey Associates and dated April 2006, revised May 22, 2006 and June 12, 2006, the Fremont Planning Board approve the requested subdivision of Fred & Joyce LeClair for Map 2 Lot 077-1, including all approved waivers, with the following conditions.

1. Renumber the notes on the plan so all pages are the same
2. Change note # 5 to delete "zoned residential"
3. All conditions to be completed within thirty (30) days of this approval date

Motion seconded by Mr. Pitkin with unanimous favorable vote.

The plan will be recorded within 3 business days after the Board has signed it.

Mr. Holmes made the motion to close this Public Hearing at 9:40 pm.
Motion seconded by Mr. Pitkin with unanimous favorable vote.

MINUTES

Mr. Karcz made the motion to amend the minutes of the June 7, 2006 by adding Mr. West to those present; change "delineate" to "*delineated*" on page 3 #1 under Seacoast Farms; and change "has" to "will" page 4, the third sentence under Prime Wetland Study.

Motion seconded by Mr. Pitkin with unanimous favorable vote except for Mr. Barham who abstained as he was not at that meeting.

Mr. Pitkin made the motion to approve the minutes as amended.

Motion seconded by Mr. Holmes with unanimous favorable vote except for Mr. Barham who abstained as he was not at that meeting.

CORRESPONDENCE

The Board reviewed all correspondences including:

1. Notice of a June 9, 2006 complaint of Seacoast Farms, Map 5 Lot 035, relating to operating outside of the approved operating hours, receiving and exiting traffic after hours. Mr. Stilwell reported that there was a

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recent site visit on the property with Richard Bond of RCCD. That visit generated a review and a report by Mr. Bond. Mr. Stilwell reported that, as per the direction of the Board at the June 7, 2006 meeting, a letter has now been drafted to Mr. Kelly requiring an existing Conditions and Management Plan, as described in Mr. Bond's report, that will show delineated wetlands, the drainage swales, the barrier berms, etc. and is stamped by a wetland scientist and a licensed land surveyor, as well as a review report by Mr. Bond and the Rockingham Planning Commission, by August 1, 2006, or the Board will recommend to the Fremont Board of Selectmen that a cease and desist order be immediately issued.

2. Notice of the annual RPC Planning Board Training Series to be held on June 28, 2006. Mr. Barham, Mr. Pitkin and Mr. Stilwell will attend.

Mr. Boisvert made the motion to adjourn at 9:50 P.M.

Motion seconded by Mr. Karcz with unanimous favorable vote.

Respectfully submitted,
Meredith Bolduc, Secretary